

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, February 8, 7:00 p.m. 2010

CALL TO ORDER:

1. The council meeting was called to order Monday, February 8, 2010 at 7:00 p.m. by President of Council Daryl Revoldt.

OPENING PRAYER:

2. The opening prayer was delivered by Rev. Donald Baird, Community Christian Church.

PLEDGE OF ALLEGIANCE:

3. All present recited the Pledge of Allegiance.

ROLL CALL:

Mr. Revoldt: Please be seated. Reverend, thank you. Clerk, would you please call the roll.

4. The following members of Council responded to roll call: Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt and Snyder. Also present were: Mayor Held, Director of Administration Wise, Director of Law Nilges, Director of Finance Zumbar, Director of Economic Development Bowles, Superintendent of Streets & Utilities Chufar, Superintendent of Permits & Inspection Hampton, City Engineer Benekos, and Clerk of Council Kalpac.

5. Consideration

Minutes of January 11, 2010

Minutes of January 25, 2010

Mr. Revoldt: Council has for its consideration its minutes for January 11, 2010 and January 25, 2010. Are there any corrections or questions?

Mr. Snyder: Mr. President, I move we accept them as presented.

Mr. DeOrio: Seconded.

Mr. Snyder moved and Mr. DeOrio seconded to accept minutes of January 11, 2010 and January 25, 2010 as presented. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder, Davies.

No: 0.

6. Committee Minutes:

Executive Sessions: Please refer to the minutes on file in the Council Office of the Executive Session Meeting for Finance & Property Committee held January 25, 2010 and the Personnel & Safety Committee held February 1, 2010.

Finance & Property Committee: Please refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held February 1, 2010.

Ordinance, Rules & Claims Committee: Please refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims Committee meeting held February 1, 2010.

Personnel & Safety Committee: Please refer to the minutes on file in the Council Office of the Personnel & Safety Committee meeting held February 1, 2010.

Street & Alley Committee: Please refer to the minutes on file in the Council Office of the Park & Recreation Committee meeting held on February 1, 2010.

Water, Sewer & Rubbish Committee: Please refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish Committee meeting held on February 1, 2010.

Mr. Revoldt: We also has for its consideration for this evening, committee minutes from executive sessions, Finance & Property held on January 25, 2010 and Personnel & Safety held on February 1, 2010. We also have minutes from Finance & Property; Ordinance, Rules & Claims; Personnel & Safety; Street & Alley; and Water, Sewer & Rubbish, all held on February 1, 2010. Are there any corrections or clarifications required for those minutes?

Mr. DeOrio: Mr. President, I would move that we approved those minutes as submitted.

Mr. Davies: Second.

Mr. DeOrio moved and Mr. Davies seconded to approve committee minutes executive sessions, Finance & Property held on January 25, 2010 and Personnel & Safety held on February 1, 2010; minutes from Finance & Property; Ordinance, Rules & Claims; Personnel &

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Safety; Street & Alley; and Water, Sewer & Rubbish, all held on February 1, 2010. All members present voting:

Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio.

No: 0

7. Recognition of Visitors

Mr. Revoldt: We're now at the point of our meeting for the recognition of visitors. Is there anyone here who wishes to address council? Mr. Osborne.

Mr. Osborne: My name is Chuck Osborne, 307 Fairview St. SE, North Canton, Ohio. Democracy in America gives citizens a voice in how they wish to be governed. The American electoral process allows for citizens to choose who will govern them. There are governmental processes that allow citizens a voice in the process of government. We all enjoy and revere the democratic form of government and the protections it affords each and every one of us. Democracy at all levels of government is what we all come to expect. Nothing less is acceptable. At a recent meeting of the North Canton Zoning Board of Appeals, citizens were not afforded the opportunity to speak. In addition, actions by a city council member raised questions in my mind as to whether the process of government is being misused to benefit the few at the expense of the public at large. On January 26, 2010 there was a meeting of the North Canton Zoning Board of Appeals. The meeting was scheduled to hear an application from McKinley Development Leasing Co., Limited, for a variance from an existing zoning law requiring a minimum lot width of 150 feet for a commercial lot in Washington Square to allow for the construction of a Sonic Drive-Thru Restaurant. As is the course for public decisions made by government bodies, public comments favoring and opposing the proposal are allowed before a vote is taken. The North Canton Board of Zoning Appeals did not allow any public comment before the Board voted on the application for a variance. Beth Borda, spokesperson from McKinley Development, spoke on behalf of the variance. She was given ample time to represent her reasons for why the Zoning Board should approve the variance. Before Ms. Borda had time to return to her seat, Chris Feller made a motion, seconded by Sam Bacon to vote on the variance request. Before I could raise my hand and ask when citizens comments would be allowed on the merits of the variance, voting by the Zoning Board was complete. The Board approved the requested variance 3-1. There were several individuals who attended the meeting who had hoped to speak regarding the requested variance. There were no other items on the agenda. The Vice-Chairman of the Zoning Board, Brian Mihalcin, chaired the meeting in place of Chairman William Cline, who was absent. Only after the vote had been taken and the Zoning Board was about to adjourn were citizens allowed to speak to the merits of the requested variance. What happened to our democratic process in this instance? Was there nobody present who knew how to conduct a proper meeting? Who has oversight of the North Canton Zoning Board of Appeals? Are Board members given any kind of training on how they are to function in their roles when they are appointed to serve on these boards? Does the conduct of the North Canton Zoning Board of Appeals raise any concerns for any members of city council? I certainly hope so. As I raised my hand in utter amazement at the Zoning Board of Appeals meeting to question what was happening before me, Councilman Snyder, who was also in attendance, leaped to his feet and shouted from the audience, "You cannot revote." This was not very impressive public conduct for a sitting councilmember. It also raises questions in my mind as to whether or not Mr. Snyder had used his influence on the deliberative process of the Zoning Board. Councilmember Snyder's conduct on this variance request is further heightened by the existence of a letter that he wrote nearly two (2) weeks before the North Canton Zoning Board of Appeals were to meet to discuss the variance. The letter, dated January 14, 2010, from Council Vice-President Jon Snyder to Council President Daryl Revoldt, states, and I quote, "McKinley Development cannot get relief from the Zoning Board of Appeals; hence the recommendation to amend Zoning Ordinance No. 50-03, specifically, Section 1137.04, titled LOT AND DENSITY REQUIREMENTS." The North Canton Zoning Board of Appeals was not scheduled to meet to discuss the requested variance until January 26, 2010. How is it that on January 14, 2010, Mr. Snyder could unequivocally state in writing "McKinley Development cannot get relief from the Zoning Board of Appeals." The letter from Mr. Snyder is blatantly false and upon that falsehood, Mr. Snyder asked Mr. Revoldt, Chair of the Ordinance, Rules & Claims Committee, to begin the legislative process to change the city's zoning code. I am stunned that the legislative process can be initiated based on false and misleading information. Subsequent to the favorable vote by the Zoning Board on January 26th, City Council, at its February 1st meeting, under the Ordinance, Rules & Claims Committee, withdrew a request made to the Planning Commission on January 19th to rewrite the zoning requirements regarding Lot and Density Requirements under the section of the city's zoning code. I asked that the minutes of the Zoning Board of Appeals meeting of January 26, 2010, be transcribed verbatim to determine without a doubt in what manner the meeting was conducted. It was a very short meeting and would not entail a great deal of effort or expense. Furthermore, I asked that a study be conducted by the City Law Director to determine the extent of the manipulation and undue influence that was exerted that resulted in the variance approval. It is one thing to assist a constituent in navigating the process of government...

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Mr. Snyder: Mr. President, first of all, I'm not going to sit here and be maligned.

Mr. Osborne: ...it is a horse of a different color to lobby aggressively and abuse the process of government that citizens depend on.

Mr. Snyder: Stop it right now, I don't have to take this. This is a public meeting. He is personally maligning me.

Mr. Osborne: ...I hope this council will care enough to learn what went wrong in the course of this application for a variance...

Mr. Snyder: Stop it.

Mr. Davies: That's enough.

Mr. Revoldt: Mr. Osborne

Mr. Snyder: That's ridiculous...

Mr. Osborne: I have two (2) more sentences...

Mr. Snyder: Mr. President, I request that you stop this personal attack on my character...

Mr. Osborne: ...and how the process was manipulated and how council itself was drawn into playing along.

Mr. Revoldt: Okay...

Mr. Osborne: You should learn the facts from beginning to end and not brush these abuses of the process of government aside. We are supposed to have a government of the people, by the people and for the people. I just hope these are not idle words etched in stone at the Lincoln Memorial in Washington.

Mr. Revoldt: Mr. Osborne, would you please take your seat, now. Number one is in the democracy that we have, there is a general acceptance of the rule of law and those laws and regulations, as you pointed out, prevail in this room and when the President of City Council requests that you, first of all, has extended you a privilege of speaking beyond five (5) minutes, and then finds your comments egregious and asks you to halt, I expect that you will cease and return to your seat. Now, number one is, I was not at the ZBA Meeting. I cannot explain why you and other interested parties were not permitted to participate in the discussion – not clear. However, I want to be absolutely direct regarding this matter – absolutely direct, clear and unambiguous, members of council are legislators and as such, they have basically two (2) responsibilities. The first is to adopt the ordinances and resolutions of this body. They do it in the State House, they do it in Congress. But number two is that they have the ability to serve as advocates. That is not illegal. It is not unethical as long as the advocate, the advocate expresses an opinion, he asks for an explanation of the decision, he asks for reconsideration of the decision, or consideration period. What the legislator MAY NOT do is to order an outcome. Now based upon your misleading comments, Mr. Snyder was well within his legal authority in his role as an advocate. There is nothing wrong with that. And for you to purport that he was behaving in an unethical or illegal fashion, is reprehensible. And frankly, you've abused the five (5) minutes I gave you at the mic. Now, the rule...

Mr. Osborne: Five (5) minutes...(inaudible)...

Mr. Revoldt: Excuse me, excuse me...

Mr. Osborne (speaking from audience): How long did you give...(inaudible)...

Mr. Snyder: Have him removed.

Mr. Revoldt: Mr. Osborne, the rule is that you do not interrupt. You were allowed to speak without interruption and you will not interrupt the President of Council. Now, the rule in this body is simple. We do not engage in personal attacks.

Mr. Osborne: This was not a personal attack – this is the conduct of a public official.

Mr. Revoldt: Then I expect you to do a little better job in researching the issue.

Mr. Osborne: Were you there at the meeting?

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Mr. Revoldt: I was not.

Mr. Osborne: Transcribe the meeting and read it.

Mr. Revoldt: Trust me. If he didn't order an outcome, he did not, if he didn't order an outcome...

Mr. Osborne: (speaking from audience) The letter was a lie. You began a legislative process based on a lie.

Mr. Revoldt: If it was an error, it is not illegal, and if erred, he erred.

Mr. Osborne: You were going to get the outcome no matter what happened.

Mr. Revoldt: You know, quite frankly, quite frankly, Chuck...

Mr. Osborne: Refuse it, you were going to change the laws – since they didn't refuse it, you're not going to change the law.

Mr. Revoldt: You're out of order. I'm not going to – this isn't the House of Commons and I'm not going to debate this. We're done. Frankly, you've misled this audience by suggesting that his conduct was unethical.

Mr. Osborne: Transcribe the meeting and read it for yourself.

Mr. Revoldt: I will be more than happy to but I can assure you...

Mr. Osborne: And look at the letter...

Mr. Revoldt: ... the letter has nothing to do with it.

Mr. Osborne: It has all the...

Mr. Revoldt: It has nothing to do with the meeting. Don't mix and match. Now, number two is this – frankly, I think we ought to be concerned more about the architecture of the building than the set-back, but that's a subject for another debate, and it's largely lost in this dialogue at what that effort was to create out there on that corner. Instead of stock and trade buildings, we wanted something that blended. Mrs. McGrew, you may want to write this down – we wanted something that blended with the community and there was great effort made to construct a grocery instead of retail facilities that were appealing and aesthetically appealing. Somehow we're going to get a Sonic Burger that's going to look like every other Sonic Burger in the country. That should be, frankly, the issue.

Mr. Osborne: We should compile a list of venture lobbyists in the city.

Mr. Revoldt: We're done. Chuck, I expect you to do a better job on your research. We'll end it there. I expect you to obey the rules of council. Is there anybody else who wishes to address this body?

Mr. Snyder: Yes, sir, I would like to please, if I may, Mr. President and members of council, number one Mr. Osborne does not enjoy immunity from slander against a person. This is a public body. He is not a member of it. So Mr. Osborne should counsel himself before he slanders me publicly. Number one, I represent, as the councilman, one of the constituents who is a member of the development who came to me who had a conversation with a member of the Zoning Board of Appeals, who said unequivocally, he would not enjoy relief if it was brought to him. He asked me, hence my letter to you. I did not say that he did not already attend the meeting as I quantified and qualified that last week. And Mr. Hampton, Superintendent of Permits will bear this out. I had no conversation with any member of the Zoning Board of Appeals prior to that meeting.

Mr. Osborne: You just admitted that you did.

Mayor Held: He's out of order.

Mr. Snyder: You know, prior to that, and secondly, I have the right, if nothing else, as a citizen, but also as a representative of the constituents to stand up and speak. I have no right to tell them how to conduct their meeting. The council has no right to ask them to transcribe the minutes and I think it's a waste of time, myself. You do as you want but I would not order in your absence, to have those transcribed and I will do whatever I have to to seek relief from the slander and the so forth that has been brought to me tonight. It's ridiculous. I have to sit

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here as an elected official and listen to hyperbole and things when there are definite rules in the rules of council that prohibit anybody from slandering any public official or any member of this body. I'm due an apology and I expect an apology or I will take whatever action to warrant that apology. It's ridiculous I have to sit here week after week, wasting the taxpayers' money and time listening to things that don't mean anything and I'm awfully angry about it. I apologize to this audience and my colleagues if I'm out of line.

Mr. Revoldt: Just to clarify Mr. Snyder's comment, Section 115.01 of our Code, clearly and unambiguously states that in this chamber, speakers – no debate, no personal attacks, no disrespect, those are the rules. We play nice in the sandbox. That's it.

Mr. Snyder: And if they can't abide by the rules, please don't let them attend the meeting.

Mr. Davies: Very quickly – I explained to Chuck why that letter was written, the fact that Mr. Lemmon had gone to the head of the Zoning Board and was told in no uncertain terms they wouldn't do anything – it wasn't done – that's when Jon wrote the letter. That was explained to Chuck and he doesn't care. He would rather come in and malign somebody than look at the facts – it's ridiculous.

Mr. Revoldt: Alright, we're going to close this matter up.

Mr. Osborne: Can I make a comment?

Mr. Revoldt: No.

Mr. Davies: No.

Mr. Revoldt: Is there anyone else who wishes to address the council this evening? Mr. Dansizen, welcome.

Mr. Dansizen: Thank you. Jim Dansizen, 502 South Main Street, North Canton, Ohio. On a lighter note, I want to introduce you to the New Work City Foundation - Ben, would you pass them out. The New Work City Foundation is having a fund raiser at the old Hoover facilities on Maple, 4th Floor Auditorium, Thursday, February 18. We're going to have live music and the appetizers, the food is presented by the Tri-Star Café of the Hoover High School. The reason we're having this fund raiser is to create jobs. The proceeds from what we collect is given to an organization, usually non-profit. We've done it with the Playhouse before. Now we're doing it with One Thousand Faces Designer Jewelry, which is located at the new business. It's located in the Hoover facility. If we would make like \$500, they have to match that \$500, and that \$500 is given to them to create a job for someone until the \$1000 is gone, and once the \$1000 is gone, we're hoping that they'll say, hey, this is a good employee, I may hire him or her full time. It's something that we're trying to do to create jobs. Mr. Ed Bender is going to do a seminar – a business seminar and it's going to be an exciting evening and we're expecting 200-300 people. Everyone in the Hoover facility that is there now is being invited. Yes, sir?

Mr. Davies: You might mention you've done two (2) of these so far...

Mr. Dansizen: We've done two (2) of them – we've done one (1)...

Mr. Davies: ...and gave money to two (2) businesses...

Mr. Dansizen: We gave it to the North Canton Playhouse and they had to match it and they hired someone that sold tickets and did stuff for the playhouse and we had one (1) at Oakwood Square where you're located. Mr. Bender, would you like to add anything to this? Thank you very much, council.

Mr. Revoldt: Thank you.

Mr. Bender: Edward Bender, 10990 Newbury Ave., NW. I'm just reiterating what Jim said. We have held two (2) of these events before. We expect a pretty good crowd for this. We have actually invited the Governor and we were declined. We have invited the Director of Commerce, so we're hoping to bring some people in. We expect some area politicians to come. We've invited all of you, I think – don't know if Jim mentioned that or not. We're also inviting township trustees. We think this is a great opportunity for local business people to get inside to see the auditorium at the Hoover facility. It's not something that happens very often, so we're pretty excited. We hope you guys will all attend. Thank you.

Mr. Davies: If I may, it's a grass roots group of local business people that are trying to create jobs in the area and it's well worth going and being a part of.

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Mr. Bender: And we've gotten some publication. You might see us in the Canton Repository. We're getting a little bit more press there. We are really trying - as a group of North Canton area business people, all volunteer. We meet twice a month and we try to come up with ideas on how to create jobs and I give credit to our Board President, Vicki Stanley of the American Medical Personnel and she is really adamant about trying to get this taken care of. So, thank you very much.

Mr. Revoldt: Thank you, sir. Is there anyone else who wishes to address the council? Mr. Daniluk.

Mr. Daniluk: I just have one quick statement here. George Daniluk, 502 Warstler. I've seen it over the years. If you have an opinion and don't express it, your opinion doesn't matter. If you have an opinion and you are not permitted to express it, it must have mattered.

Mr. Revoldt: Thank you. Anyone else who wishes to address the council? Seeing none, let's move on to old business.

OLD BUSINESS:

8. Mr. Revoldt: May I have a motion to read by title only, second reading of Ordinance 6-10?

Mr. Davies moved and Mr. DeOrio seconded to **read by title only, second reading of Ordinance 6-10**. All members present voting:

Yes: Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio, Foltz.

No: 0.

Ordinance No. 6-10 – 2nd Reading – Finance & Property

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and for the Mayor of the City of North Canton to enter into a contract for the purchase of gasoline and diesel fuel for use by all city departments, for either a one (1) year or two (2) year period commencing June 1, 2010 and declaring the same to be an emergency.

Mr. Snyder: Mr. President, members of council, we're going to read this three (3) times even though it committed as an emergency, it's a standard fuel contract. I think it expires around the middle of May, first of May.

Mr. Revoldt: June.

Mr. Snyder: So we have some time. That's about it. No questions, that's it.

Mr. Revoldt: Motion to adopt the second reading of Ordinance 6-10.

Mr. Davies moved and Mr. DeOrio seconded to **adopt the second reading of Ordinance 6-10**. All members present voting:

Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.

No: 0.

9. Mr. Revoldt: May I - on item 9, have a motion to amend Resolution No. 7-10, deleting "additional" and references to "an increase"?

Mr. DeOrio moved and Mr. Davies seconded to **amend Resolution No. 7-10, deleting "additional" and references to "an increase"**. All members present voting:

Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.

No: 0.

Mr. Revoldt: May I have a motion to read by title only, second reading, Resolution 7-10 as amended?

Mr. Foltz moved and Mr. DeOrio seconded to **read by title only, second reading, as amended, Resolution 7-10**. All members present voting:

Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt.

No: 0.

Resolution No. 7-10 – 2nd Reading – Finance & Property

A resolution of submission of question of a renewal of a tax levy with an increase for the purpose of providing additional funds for the City's portion of street improvements in the City of North Canton, Stark County, Ohio and declaring the same to be an emergency.

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Mr. Snyder: Mr. President and members of council, this is the street levy which is 1 mill. It expired December 31 of this past year. As you know, we had one on the ballot this last November for 2 mills and it was voted down by the electorate, so we are re-submitting the original one that has run for many years and the present estimated value is about \$365,000 if my memory serves me right. So, it is down some, a little bit from the original one that just expired due to the fact that there has been a re-appraisal, a re-adjustment of monies from the county auditor. This does need to be there next Thursday, the filing deadline is the 18th.

Mr. Revoldt: Mayor, would you please sign this this evening?

Mr. DeOrio: Mr. President, I would move for approval of Resolution No. 7-10.

Mr. Revoldt: As amended.

Mr. DeOrio: As amended.

Mr. Davies: Second.

Mr. DeOrio moved and Mr. Davies seconded to **adopt the second reading** of Resolution 7-10 as amended. All members present voting:

Yes: Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.

No: 0.

Mr. Revoldt: May I have a motion to suspend the rules for Resolution 7-10, as amended?

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules, as amended**, for Resolution 7-10. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder, Davies.

No: 0.

Mr. Revoldt: May I have a motion to adopt, under the rules as suspended, Resolution No. 7-10, as amended?

Mr. Davies moved and Mr. DeOrio seconded to **adopt, under suspension of the rules, as amended**, Resolution No. 7-10. All members present voting:

Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio.

No: 0.

10. Mr. Revoldt: May I have motion to read by title only, the second reading of Resolution 8-10?

Mr. DeOrio moved and Mr. Peters seconded motion to **read by title only, the second reading** of Resolution 8-10. All members present voting:

Yes: Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio, Foltz.

No: 0.

Resolution No. 8-10 – 2nd Reading – Finance & Property

A resolution of submission of question of an additional tax levy for the purpose of providing additional funds for the City's ambulance service, emergency medical service or both, along with the necessary appurtenances, to the City of North Canton for a period of two (2) years, tax years 2010 and 2011, commencing in 2010 first due in calendar year 2011 and declaring the same to be an emergency.

Mr. Snyder: Mr. President and members of council, this will hopefully help shore up the shortfall in the fund that services EMS. This is a two (2) year levy, Sunset Provision of two (2) years for 1-1/2 mills which will generate approximately, I believe \$660,000 is what I think – it was around that figure. Presently, it's estimated in your 2010 budget to be about a million three to a million four to operate this. This along with the transportation fees and existing levy will bring in roughly a little under one million dollars (\$1,000,000) which will bring it into parity to be able to operate as its own little area and not be such a burden upon the general fund and allow us to continue to provide the fine services that this division does provide to the citizens. If it would fail, unfortunately, the money will have to come again to subsidize out of the general fund which is, we're subsidizing approximately \$850,000, I think this year alone, which will result in approximately, that's about one hundred (100) jobs. If it goes down, there's one hundred (100) people in the city that won't be working for us, that we have to somehow come up with. It's a very grim situation. I mean it doesn't leave a lot of negotiation there. So, it's a very serious situation. We've done a remarkable job in maintaining costs and not passing any additional taxes but we've finally come to the point in order to make 2011 work, we need this levy.

Mr. DeOrio: Mr. Chairman, did you mean to say how many jobs that you said?

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Mr. Snyder: No, I'm exaggerating this whole bit to make an impact.

Mr. Revoldt: Dottie, this is the important question. As Jon has indicated, for – since EMS began in the City of North Canton, it has been subsidized by the general fund. In the post-Hoover period, we can no longer do this. Everybody wants, so now we are turning to the residents and as many of the council have expressed, we don't like to ask for additional money during a recession. However, this is truly urgent. The 1-1/2 mills is going to go on for two (2) years and see if we can outgrow, or we can grow more jobs and this will come back to the council, come back to the voters in twenty-four (24) months. In the interim, if this request is adopted by the electorate, I heard this from a constituent, she said tell me what it's going to cost. If one has a home with a market value of \$150,000, a market value, the cost is \$68.91 additional tax. Many would argue that that is a modest insurance payment for a true emergency bargain.

Mr. DeOrio: That's \$.17 a day.

Mr. Revoldt: \$.17 a day. Is it worth two (2) dimes to have a first-class EMS prepared to respond immediately to a call? That's the question. \$68.91 for \$150,000, \$.17 a day, that's it. Okay, anything else? Let's have a motion to adopt the second reading of Resolution 8-10.

Mr. Davies moved and Mr. DeOrio seconded to **adopt the second reading** of Resolution No. 8-10. All members present voting:

Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.

No: 0.

Mr. Revoldt: Let me have a motion to suspend the rules for Resolution No. 8-10.

Mr. DeOrio moved and Mr. Davies seconded to **suspend the rules** for Resolution No. 8-10. All members present voting:

Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.

No: 0.

Mr. Revoldt: May I have motion to adopt under the rules as suspended Resolution No. 8-10?

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Resolution No. 8-10. All members present voting:

Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt.

No: 0.

NEW BUSINESS:

11. Mr. Revoldt: Under "New Business", Item 11, motion to read by title only, first reading, Ordinance No. 9-10.

Mr. Peters moved and Mr. Davies seconded to **read by title only, first reading** Ordinance No. 9-10. All members present voting:

Yes: Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.

No: 0.

Ordinance No. 9-10 – 1st Reading – Personnel & Safety

An ordinance amending Section 24. AUTHORIZED MANPOWER of Ordinance No. 10-89, Police Personnel Ordinance, as amended, to establish the classification of Sergeant and declaring the same to be an emergency.

Mr. Peters: This update is in accordance with the collective bargaining agreement. We're slowly moving towards the four (4) sergeants coming down from, what six (6) to two (2)? Okay. And, about a 36% savings over the course of this contract?

Mr. Wise: That's my understanding.

Mr. Revoldt: Dottie, this is an example, again, through our collective bargaining, where we have attempted to reduce the costs by creating these new positions – sergeants – 36% savings, correct? Okay, we're trying. Anything else?

Mr. Peters: No, and it's on emergency. I have a motion to approve.

Mr. Revoldt: Okay, we have a motion to adopt the first reading of Ordinance No. 9-10. Is there a second?

Mr. Davies: Second.

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Mr. Peters moved and Mr. Davies seconded to **adopt the first reading** of Ordinance No. 9-10. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder, Davies.

No: 0.

Mr. Revoldt: Motion to suspend the rules for Ordinance No. 9-10?

Mr. Davies moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 9-10.

All members present voting:

Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio.

No: 0.

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance No. 9-10.

Mr. DeOrio moved and Mr. Davies seconded to **adopt under suspension of the rules** Ordinance No. 9-10. All members present voting:

Yes: Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio, Foltz.

No: 0.

12. Mr. Revoldt: Item 12, motion to read by title only, first reading Ordinance No. 10-10.

Mr. Davies moved and Mr. DeOrio seconded to **read by title only, first reading** of Ordinance No. 10-10. All members present voting:

Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.

No: 0.

Ordinance No. 10-10 – 1st Reading – Water, Sewer & Rubbish

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the North Main Street Waterline Replacement Project (Applegrove to Wilbur), at a cost not to exceed \$375,000, and declaring the same to be an emergency.

Mr. Davies: This is part of our ongoing replacement of older waterlines. The funds will come out of the water fund, the Enterprise Fund, that comes from the water billings. It does not impact our general fund.

Mr. Revoldt: Excuse me. We have an important matter here. We need a document signed for school.

Mrs. Kiesling: Kayla, do you want us to sign them?

Mr. Davies: If you don't get them signed, you'll get an F.

Mrs. Kiesling: Hangout, we'll pass it along and sign it.

Mr. Revoldt: If you will just start there and stand over there, we'll get them signed.

Mr. Davies: Again, this comes out of the water fund which comes from the water billing. It is not, in fact, the general fund and I would move that we approve it.

Mr. DeOrio: Second.

Mr. Davies moves and Mr. DeOrio seconded to **adopt the first reading** of Ordinance No. 10-10. All members present voting:

Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.

No: 0.

Mr. Revoldt: Motion to suspend the rules of Ordinance No. 10-10.

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 10-10.

All members present voting:

Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt.

No: 0.

Mr. Revoldt: Motion to adopt under the rules as suspended, Ordinance No. 10-10.

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Mr. Peters moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** Ordinance No. 10-10. All members present voting:

Yes: Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.

No: 0.

13. Mr. Revoldt: Item 13, motion to read by title only, first reading, Ordinance 11-10.

Mr. DeOrio moved and Mr. Davies seconded to **read by title only, first reading**, of Ordinance No. 11-10. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder, Davies.

No: 0.

Ordinance No. 11-10 – 1st Reading – Water, Sewer & Rubbish

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the 7th Street Waterline Replacement Project – 2010 (Main Street to Weber), at a cost not to exceed \$375,000, and declaring the same to be an emergency.

Mr. Davies: Again, waterline replacement which we've been doing for years. This will go from Main Street to Weber. Last year we replaced from Marquardt to Weber so this will complete 7th Street. Again, the funds comes out of the water fund, not the general fund. I would move that we approve.

Mr. Peters: Second.

Mr. Davies moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 11-10. All members present voting:

Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio.

No: 0.

Mr. Revoldt: Motion to suspend the rules for Ordinance No. 11-10.

Mr. Davies moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 11-10. All members present voting:

Yes: Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio, Foltz.

No: 0.

Mr. Revoldt: Motion to adopt under the rules, as suspended, Ordinance No. 11-10.

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** Ordinance No. 11-10. All members present voting:

Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.

No: 0.

14. Mr. Revoldt: Item 14, motion to read by title only, first reading, Ordinance 12-10.

Mr. Davies moved and Mr. DeOrio seconded to **read by title only, first reading**, of Ordinance No. 12-10. All members present voting:

Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.

No: 0.

Ordinance No. 12-10 – 1st Reading – Water, Sewer & Rubbish

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Rose Lane Waterline Replacement Project (Tanglewood to Woodside), at a cost not to exceed \$295,000, and declaring the same to be an emergency.

Mr. Davies: This is the third waterline replacement that we're doing. Same as the others – the funds comes out of the water fund, not the general fund, and I would move that we approve it.

Mr. DeOrio: Second.

Mr. Davies moved and Mr. DeOrio seconded to **adopt the first reading** of Ordinance No. 12-10. All members present voting:

Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt.

No: 0.

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Mr. Revoldt: Motion to suspend the rules for Ordinance 12-10.

Mr. DeOrio moved and Mr. Davies seconded to **suspend the rules** for Ordinance No. 12-10.

All members present voting:

Yes: Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.

No: 0.

Mr. Revoldt: Motion to adopt the rules as suspended for Ordinance 12-10.

Mr. DeOrio moved and Mr. Davies seconded to **adopt under suspension of the rules**

Ordinance No. 12-10. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder, Davies.

No: 0.

15. Mr. Revoldt: Item 15, motion to read by title only, first reading of Ordinance 13-10.

Mr. DeOrio moved and Mr. Davies seconded to **read by title only, first reading** of Ordinance

No. 13-10. All members present voting:

Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio.

No: 0.

Ordinance No. 13-10 – 1st Reading – Water, Sewer & Rubbish

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Grassmere Waterline Extension Project (Grassmere to Monticello), at a cost not to exceed \$210,000, and declaring the same to be an emergency.

Mr. Davies: This is an extension of an existing line into Monticello. They have some pressure problems in that neighborhood and this will get them up to where they need to be to get good pressure. Again, the funds come out of the water fund and not the general fund so it doesn't affect the general fund and I would move to approve.

Mr. DeOrio: Second.

Mr. Davies moved and Mr. DeOrio seconded to **adopt the first reading** of Ordinance No. 13-

10. All members present voting:

Yes: Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio, Foltz.

No: 0.

Mr. Revoldt: Motion to suspend the rules of Ordinance 13-10.

Mr. DeOrio moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 13-

10. All members present voting:

Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.

No: 0.

Mr. Revoldt: Motion to adopt under the rules as suspended Ordinance 13-10.

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** of

Ordinance No. 13-10. All members present voting:

Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.

No: 0.

16. Mr. Revoldt: Item 16, motion to read by title only, first reading of Ordinance No. 14-10.

Mrs. Kiesling moved and Mr. Davies seconded to **read by title only, first reading** of

Ordinance No. 14-10. All members present voting:

Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt.

No: 0.

Ordinance No. 14-10 – 1st Reading – Street & Alley

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the resurfacing, repaving, replacement repair, and preventative maintenance of certain streets, alleys, and city parking lots and declaring the same to be an emergency.

Mr. DeOrio: The amount that we've allocated was a total of \$350,000 coming from three (3) different funds for this and I should mention that after last week's council meeting, I've mentioned to the administration and to my ward councilman, a section of the street, Eastwind,

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which is in the allotment where I live, for the record, and if anything could be done to improve that, that would be great. Mr. President, I would move that we approve Ordinance No. 14-10.

Mr. Davies: Second.

Mr. DeOrio moved and Mr. Davies seconded to **adopt the first reading** for Ordinance No. 14-10. All members present voting:

Yes: Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.

No: 0.

Mr. Revoldt: Can I have a motion to suspend the rules for Ordinance No. 14-10?

Mr. Davies moved and Mr. DeOrio seconded to **suspend the rules** for Ordinance No. 14-10. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder, Davies.

No: 0.

Mr. Revoldt: Can I have a motion to adopt under the rules, as suspended, Ordinance 14-10?

Mr. Davies moved and Mr. DeOrio seconded to **adopt under suspension of the rules** for Ordinance No. 14-10. All members present voting:

Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio.

No: 0.

17. Mr. Revoldt: Item 17, motion to read by title only, first reading of Ordinance No. 15-10.

Mr. DeOrio moved and Mrs. Kiesling seconded to **read by title only, first reading of** Ordinance No. 15-10. All members present voting:

Yes: Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio, Foltz.

No: 0.

Ordinance No. 15-10 – 1st Reading – Street & Alley

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the East Maple Street Resurfacing (Taft Avenue NE to Marquardt Avenue NE) and declaring the same to be an emergency.

Mr. DeOrio: Mr. Chairman, it should be noted that in the legislation, the total amount estimated for this is \$289,177. Having said that, I would move for approval of Ordinance No. 15-10.

Mrs. Kiesling: Second.

Mr. DeOrio moved and Mrs. Kiesling seconded to **adopt the first reading of** Ordinance No. 15-10. All members present voting:

Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.

No: 0.

Mr. Revoldt: Motion to suspend the rules for Ordinance No. 15-10.

Mr. DeOrio moved and Mr. Davies seconded to **suspend the rules** for Ordinance No. 15-10. All members present voting:

Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.

No: 0.

Mr. Revoldt: Motion to adopt under the rules, as suspended, Ordinance No. 15-10.

Mr. DeOrio moved and Mr. Davies seconded to **adopt under suspension of the rules for** Ordinance No. 15-10. All members present voting:

Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt.

No: 0.

18. Mr. Revoldt: Item 18, a motion to read by title only, first reading of Ordinance No. 16-10.

Mr. Davies moved and Mr. DeOrio seconded to **read by title only, first reading of** Ordinance No. 16-10. All members present voting:

Yes: Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.

No: 0.

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Ordinance No. 16-10 – 1st Reading – Street & Alley

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the North Main Reconstruction – Phase V (7th Street to Applegrove Street) and declaring the same to be an emergency.

Mr. DeOrio: Mr. Chairman, in this ordinance, we note that the total amount being appropriated is \$2,849,233 and I would move that we adopt this ordinance.

Mr. Peters: Second.

Mr. Revoldt: Could we have the record show, how much of this is going to be borne by grant?

Mr. Benekos: Approximately 1.2 million.

Mr. Davies: What are we borrowing?

Mr. Benekos: Of that 2.8 million, 1.6 is grants.

Mr. Revoldt: Okay.

Mr. DeOrio: And Mr. Davies' question was, how much are we borrowing?

Mr. Zumbar: 1.9, 1.2?

Mr. Snyder: \$500,000 is in the capital budget and whatever shortfall from there is – we're using \$500,000 of the city's capital budget along with the grant, so it would be 1.9, so you're roughly \$480,000 - \$490,000 projectedly short, so about ½ million dollars.

Mr. Zumbar: I think it's 1.2...

Mr. Snyder: No, more than that...

Mr. Zumbar: When the bids come back in, we're going to re-assess and see exactly how much we do need to borrow, but, we were planning on about 1.1 – 1.2...

Mr. Revoldt: For the record, this project is occasioned both by need and the availability of a substantial grant. Now what you need to reconstruct the street and the availability outside... May I have a motion to adopt the first reading?

Mr. DeOrio moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 16-10. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.

No: Davies.

Mr. Revoldt: Motion to suspend the rules of Ordinance 16-10.

Mr. DeOrio moved and Mrs. Kiesling seconded to **suspend the rules** for Ordinance No. 16-10. All members present voting:

Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio.

No: 0.

Mr. Revoldt: Motion to adopt the rules, as suspended, of Ordinance 16-10.

Mr. DeOrio moved and Mrs. Kiesling seconded to **adopt under suspension of the rules** of Ordinance No. 16-10. All members present voting:

Yes: Kiesling, Peters, Revoldt, Snyder, DeOrio, Foltz.

No: Davies.

19. Mr. Revoldt: Item 19, motion to read by title only, first reading, of Ordinance No. 17-10.

Mr. DeOrio moved and Mrs. Kiesling seconded to **read by title only, first reading** for Ordinance No. 17-10. All members present voting:

Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.

No: 0.

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Ordinance No. 17-10 – 1st Reading – Street & Alley

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Main Street Resurfacing (Rose Lane to 7th Street) and declaring the same to be an emergency.

Mr. DeOrio: Mr. Chairman, I would move for approval of Ordinance No. 17-10.

Mr. Davies: That's fully funded, is that not correct?

(Inaudible) everyone talking over each other

Mr. Revoldt: Fully funded, by outside sources.

Mr. Davies: That's a good thing.

Mrs. Kiesling: I'll second it.

Mr. Revoldt: It's been moved and seconded...

Mr. DeOrio: Hold on, hold on, just for the record, we should note that this ordinance and the next ordinance in our packet are labeled 17-09 and 18-09 and they should be 17-10 and 18-10, so we may want to correct – Hans, do we need to amend this tonight to make it 17-10?

Mr. Nilges: I think you would be safest to do so.

Mr. Revoldt: Let me have, we read this once, so let me have now a motion to amend the actual ordinance to read 17-10.

Mr. DeOrio moved and Mr. Davies seconded to **amend the ordinance number to read 17-10**. All members present voting:

Yes: Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling, Peters.

No: 0.

Mr. Revoldt: Now, may I have a motion to adopt the first reading of Ordinance No. 17-10, as amended?

Mr. Davies moved and Mr. DeOrio seconded to **adopt the first reading, as amended**, for Ordinance 17-10. All members present voting:

Yes: Snyder, Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt.

No: 0.

Mr. Revoldt: May I have a motion to suspend the rules of Ordinance No. 17-10, as amended.

Mr. DeOrio moved and Mrs. Kiesling seconded to **suspend the rules, as amended** for Ordinance No. 17-10. All members present voting:

Yes: Davies, DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder.

No: 0.

Mr. Revoldt: Motion to adopt under the rules, as suspended?

Mr. Davies moved and Mr. DeOrio seconded to **adopt under the suspension of the rules, as amended**, Ordinance No. 17-10. All members present voting:

Yes: DeOrio, Foltz, Kiesling, Peters, Revoldt, Snyder, Davies.

No: 0.

20. Mr. Revoldt: May I have a motion to amend the documents in your packets to read Ordinance 18-10? This is item 20.

Mr. Davies moved and Mr. DeOrio seconded to **amend the ordinance number to read 18-10**. All members present voting:

Yes: Foltz, Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio.

No: 0.

Mr. Revoldt: A motion to read by title only, first reading of Ordinance 18-10, as amended?

Mr. DeOrio moved and Mr. Davies seconded to **read by title only, first reading, as amended**, Ordinance No. 18-10. All members present voting:

Yes: Kiesling, Peters, Revoldt, Snyder, Davies, DeOrio, Foltz.

No: 0.

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Mr. Revoldt: A motion to adopt the first reading, as amended, of Ordinance No. 18-10?

Mr. Davies moved and Mr. DeOrio seconded to **adopt the first reading, as amended,** Ordinance No. 18-10. All members present voting:

Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.

No: 0.

(FAILED TO READ THE ORDINANCE)

Ordinance No. 18-10 – 1st Reading – Finance & Property

An ordinance to Make appropriations for current expenses and other expenditures of the City of North Canton, Ohio, for the period beginning January 1, 2010 and ending December 31, 2010, and declaring the same to be an emergency.

Mr. Revoldt: Now, may I have a motion to adopt?

Mr. DeOrio moved and Mr. Davies seconded to **adopt the first reading, as amended,** Ordinance No. 18-10. All members present voting:

Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.

No: 0.

REPORTS:

Mr. Revoldt: Reports, Director of Law.

Mr. Nilges: I actually do have something to report.

Mr. Revoldt: Wait a minute.

Mr. DeOrio: Are we done with that?

Mr. Snyder: Yeah, we'll just pass on emergency next time.

Mr. Nilges: Okay, I do actually have something to report – a bit of personal news. I was associated with the law firm of Buckingham, Doolittle & Burroughs. I have, however, accepted a partnership with the law firm of Morrow and Meyer, so, that will be my other job in addition to my duties for the city.

Mr. Revoldt: Director of Finance.

Mr. Zumbare: No report, sir.

Mr. Revoldt: Director of Administration.

Mr. Wise: Yes, Friday evening we began what turned out to be a very significant snowfall event. We got about twelve (12) inches of snow at peak times. It was between two (2) to three (3) inches an hour. Fortunately, it didn't last the whole fifteen (15) hours at that rate, but we had a very systematic method of clearing the streets. First of all, I think it's obvious that the main streets are cleared. We have four (4) or five (5) crews that go out and hit the mains. That takes an hour. Once that is done, then those crews break up into various different sections and get the secondary and residential streets. However, with this snowfall, after they did the mains which takes an hour, they went out in their sections for an hour and at that point then had to go back to the mains. That was a twelve (12) to fifteen (15) hour battle. At noon, I guess what I'm saying is that they didn't get into the residential and side streets as they normally would after doing the mains, at least not for very long. At noon on Saturday, the snow stopped and, thank goodness, the sun came out. It was beautifully sunny the rest of the day. The last truck, I think, clocked out at about 7:00 pm Saturday evening. It was still a very significant event. The roads were not completely wet - we're normally used to after an event. We don't have this type of an event very often. Having said that, we may get another event here beginning tonight. They're calling for upwards of ten (10) inches, potentially. Hopefully, we don't get that, but we had a couple trucks - it's hard on trucks. We had two (2) big trucks we had issues with. We have those back. One (1) can salt, one (1) of them can't plow but we have another truck that will be able to plow, one (1) of the nine (9) trucks. Four (4) x four's (4's) are out all of the time. The pickup trucks, we had a number of those go down. I think those are all back up as of 4:00 o'clock today. So, it becomes an issue when there's that type - that much snow - they hit the mains and they have got to go back to the mains or they cover up and they become impassable. Clearly, at some points during the night, some of the side streets were very very difficult to travel, if not impossible unless you had a four (4) wheel drive. We got every place, you know, I can't say there weren't alleys or some streets that may have gotten missed or may have gotten hit one (1) time early on and then after twelve (12) or fifteen (15) hours of snow, maybe there were only eight (8) inches of snow on that street instead of twelve (12), but there's still eight (8) inches of snow. We got around then, as I said, 7:00 o'clock Saturday. They were out a lot today. We had some sunshine today so they had some salt out. The roads are in - most of the roads are in excellent shape. Some of the roads are not in excellent shape but we will do battle again this evening - hopefully not to the same extent, but there's a possibility. So just, if you have concerns or complaints, call me - if you

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don't have my cell phone – get it – call me anytime, twenty-four (24) hours a day – we'll be out and just be careful out there.

Mr. Revoldt: Mayor.

Mayor Held: Yes, we're going to have an open house for the new company, the Schroer Group. The date is not set. They still have a few items that they're working on but they do have two hundred fifty (250) new jobs over there and the facility really looks beautiful. So, they'd like to invite all the council members and people from the public, to an open house. We hope to have that...what's that?

Mr. Revoldt: We'll look for the announcement.

Mayor Held: Yes.

Mr. Davies: That's Alter Care?

Mayor Held: Yes. The Schroer Group owns Alter Care, Avalon Foods and Absolute Home Health Care, so three (3) companies. And then also, we were going to have Councilwoman Kiesling in a meeting with the developer, and really what we'd like to do is schedule a meeting with both developers, Stu Lichter and also Chris Semarjian, and all the council members so that we could have an update on all the issues and any questions or concerns or clarifications that the council members might have. We'd like to set that up, and so, I'm assuming that Mondays are probably the best time, maybe a Monday, earlier on Monday, unless anybody has any other suggestions, let me know. Otherwise, I will try to schedule it for maybe 5:00 o'clock on a Monday unless there's any objection.

Mr. Snyder: Miami would be nice...

Mr. Revoldt: Mr. Bowles.

Mr. Bowles: No report.

Mr. Revoldt: Mr. Foltz.

Mr. Foltz: Yeah, just a follow-up with EJ's comments – I appreciate the hard work our city employees do. You said twelve (12) – thirteen (13) inches of snow. There's no way you're going to handle it like a two (2) – four (4) inch snow. You did a great job. The only thing I would ask – did get a couple calls, it was more the snow was bad, it was secondaries, but Janet and Lois, some of those streets off Woodrow that have a high incline to drive, it really makes it worse, nobody's fault, and I'm not criticizing our work effort. I know we're hoping around, so, if there's anyway to pay a little bit more attention or try to get there earlier, to do some other streets, that's all...

Mr. Wise: Sure. And I guess, when we talk about the mains, I mean they do do mains and there are hills, I mean Glenwood is probably not a main street but it's a hill that we hit – those hills off of Harmon, those types of things. But Janet and Lois...

Mr. Foltz: Yeah, you guys did a great job and a key point here too, this just happened Saturday and here we are three (3) days later – two (2) days, three (3) days counting Sunday, getting ready to go again. And things happen with equipment, I mean you got plow edges that need replaced, everyone has the best intentions of plowing – but that's a tough job.

Mr. Wise: Well it makes it more...

Mr. Foltz: You might run into a curb here and there, you might hit a manhole cover that's been raised with the temperature and those are all things that need attention as far as maintenance and repair...

Mr. Held: There was a lot of...

Mr. Foltz: That happens everywhere, so just be ready to go again in three (3) days, it's a critical factor here in the city.

Mr. Wise: Well, with the snow that's piled up now, which is now frozen solid, it makes it difficult to get the snow that's, the new snow out of the way...

Mr. Foltz: Well you're still trying to widen the intersections, let alone here comes more snow...alright, job well done.

Mr. Wise: I'll pass that along. Thank you.

Mr. Revoldt: Mr. Peters.

Mr. Peters: I just have one (1) question. It was either in our packet or on our table here, from SCOG, dated February 3. Are we going to meet with Mr. Concatto before or...

Mr. Revoldt: Yes, he was coming to see us

Mayor Held: Yes, that's right. Joe Concatto wanted to talk to the council – he called me about meeting with council just to share an update in reference to 911, and I'm not sure if he spoke to the council president yet at this point but I...

Mr. Revoldt: I indicated my wishes to him...

Mayor Held: What's that?

Mr. Revoldt: ...our wishes.

Mayor Held: So, we'd like to, I'm sure a council meeting would be the best time to...

Mrs. Kiesling: You have it scheduled, Gail?

Mr. Revoldt: Yes, she does.

Mrs. Kalpac: The Chief brought up a list of questions, Chief Grimes, and once he authorized it, I sent those to Mr. Concatto and he's coming February 22 to the council meeting per my discussion with Councilman Snyder.

RECORD OF PROCEEDINGS

0475

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, February 8, 7:00 p.m. 20 10

Mr. Revoldt: A motion to adopt the first reading, as amended, of Ordinance No. 18-10?

Mr. Davies moved and Mr. DeOrio seconded to **adopt the first reading, as amended,** Ordinance No. 18-10. All members present voting:

Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.

No: 0.

(FAILED TO READ THE ORDINANCE)

Ordinance No. 18-10 – 1st Reading – Finance & Property

An ordinance to Make appropriations for current expenses and other expenditures of the City of North Canton, Ohio, for the period beginning January 1, 2010 and ending December 31, 2010, and declaring the same to be an emergency.

Mr. Revoldt: Now, may I have a motion to adopt?

Mr. DeOrio moved and Mr. Davies seconded to **adopt the first reading, as amended,** Ordinance No. 18-10. All members present voting:

Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.

No: 0.

REPORTS:

Mr. Revoldt: Reports, Director of Law.

Mr. Nilges: I actually do have something to report.

Mr. Revoldt: Wait a minute.

Mr. DeOrio: Are we done with that?

Mr. Snyder: Yeah, we'll just pass on emergency next time.

Mr. Nilges: Okay, I do actually have something to report – a bit of personal news. I was associated with the law firm of Buckingham, Doolittle & Burroughs. I have, however, accepted a partnership with the law firm of Morrow and Meyer, so, that will be my other job in addition to my duties for the city.

Mr. Revoldt: Director of Finance.

Mr. Zumbar: No report, sir.

Mr. Revoldt: Director of Administration.

Mr. Wise: Yes, Friday evening we began what turned out to be a very significant snowfall event. We got about twelve (12) inches of snow at peak times. It was between two (2) to three (3) inches an hour. Fortunately, it didn't last the whole fifteen (15) hours at that rate, but we had a very systematic method of clearing the streets. First of all, I think it's obvious that the main streets are cleared. We have four (4) or five (5) crews that go out and hit the mains. That takes an hour. Once that is done, then those crews break up into various different sections and get the secondary and residential streets. However, with this snowfall, after they did the mains which takes an hour, they went out in their sections for an hour and at that point then had to go back to the mains. That was a twelve (12) to fifteen (15) hour battle. At noon, I guess what I'm saying is that they didn't get into the residential and side streets as they normally would after doing the mains, at least not for very long. At noon on Saturday, the snow stopped and, thank goodness, the sun came out. It was beautifully sunny the rest of the day. The last truck, I think, clocked out at about 7:00 pm Saturday evening. It was still a very significant event. The roads were not completely wet - we're normally used to after an event. We don't have this type of an event very often. Having said that, we may get another event here beginning tonight. They're calling for upwards of ten (10) inches, potentially. Hopefully, we don't get that, but we had a couple trucks – it's hard on trucks. We had two (2) big trucks we had issues with. We have those back. One (1) can salt, one (1) of them can't plow but we have another truck that will be able to plow, one (1) of the nine (9) trucks. Four (4) x four's (4's) are out all of the time. The pickup trucks, we had a number of those go down. I think those are all back up as of 4:00 o'clock today. So, it becomes an issue when there's that type – that much snow – they hit the mains and they have got to go back to the mains or they cover up and they become impassable. Clearly, at some points during the night, some of the side streets were very very difficult to travel, if not impossible unless you had a four (4) wheel drive. We got every place, you know, I can't say there weren't alleys or some streets that may have gotten missed or may have gotten hit one (1) time early on and then after twelve (12) or fifteen (15) hours of snow, maybe there were only eight (8) inches of snow on that street instead of twelve (12), but there's still eight (8) inches of snow. We got around then, as I said, 7:00 o'clock Saturday. They were out a lot today. We had some sunshine today so they had some salt out. The roads are in – most of the roads are in excellent shape. Some of the roads are not in excellent shape but we will do battle again this evening – hopefully not to the same extent, but there's a possibility. So just, if you have concerns or complaints, call me – if you

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 101-48

Held	Monday, February 8,	7:00 p.m.	20	10
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Mayor Held: There was a series of questions that our Police Chief had in reference to 911, and so rather than have Mr. Concatto stand up, give a presentation and then be put on the spot with multiple questions, we had Gail, had him answer those questions ahead of time so that hopefully he can answer them – be prepared to answer them when he is here.

Mr. Peters: If we need to add to that, who should we run those through?

Mr. Revoldt: Gail.

Mayor Held: Gail, you have Mr. Concatto's number, right?

Mrs. Kalpac: Yes.

Mayor Held: Any questions that you have, forward them on to Gail.

Mr. Revoldt: Mr. Concatto expects a lively interactive session with us, consistent; however, with the rules of council.

Mr. Revoldt: Mr. Davies.

Mr. Davies: No Report.

Mr. Revoldt: Mr. DeOrio.

Mr. DeOrio: No report.

Mr. Revoldt: Mrs. Kiesling.

Mrs. Kiesling: No report.

Mr. Revoldt: Mr. Snyder.

Mr. Snyder: Nothing.

Mr. Revoldt: Clerk, if you would put on the next agenda that I'd like to consider amending Section 115.01(J)(2) Rules of Council, and that's the aforementioned section that prohibits certain types of conduct, but I think after tonight's meeting it's very clear that we need to embody in that language, encouragement of more levity. So if you would do that, we need a little more laughter in this room. So, with that, is there anyone else that wishes to address the council?

FINAL CALL FOR NEW BUSINESS:

Mr. Revoldt: Mrs. Magel.

Mrs. Magel: Kathy Magel, 1025 E. Maple Street...

Mr. Revoldt: You're good, I think we can pick you up.

Mrs. Magel: Alright, thank you. I'd like to make a comment – just to clarify something. Mr. Davies, you were speaking about the 7th Street project...

Mr. Davies: What's that?

Mrs. Magel: The 7th Street Waterline?

Mr. Davies: Umhm...

Mrs. Magel: Okay, but you didn't mention the sidewalks...

Mr. Davies: Oh, that's true, the sidewalk's in there too, I forgot, you're right, that's exactly right.

Mrs. Magel: Okay. Okay. I guess what I was – what I'm asking – whenever the control board takes it, gets their bid, you're going to make sure that everything's done with – that needs to be done – with sidewalks so that when the 7th Street project begins, that you begin the sidewalks also.

Mr. Davies: Mr. Benekos vanished, but my understanding is that it's in there and one of the reasons they did it that way because it was going to be torn up anyway, so that was the time to do it and put it back and that's within the \$375,000 that was estimated to do the project and not to exceed that amount, so, yes it is and you're right.

Mrs. Magel: Alright, so then you'll make sure that whenever it goes to board of control, then whatever needs to be – from what I understand...

Mr. Davies: Either do it or suffer the wrath of Kathy – so they'll get it done.

Mr. Nilges: No, it's going to be taken care of.

Mrs. Magel: Alright, sorry to speak on the (inaudible)

Mr. Davies: No, that's fine. I just forgot that was in there (inaudible)

Mrs. Magel: Alright, thank you very much.

Mr. Revoldt: Final call.

Mr. DeOrio: Move we adjourn.

Mr. Revoldt: Before we do, let me just remind everyone that February 15 is President's Day, that's Monday, and pursuant to a vote we cast earlier this year, we will meet on Tuesday, February 16 at the appointed hour. Now, Mr. DeOrio has moved, is there a second.

Mr. Davies: Second.

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, February 8, 7:00 p.m. 2010

Mr. DeOrio moved and Mr. Davies seconded to **adjourn** the council meeting. All members present voting:

Yes: Peters, Revoldt, Snyder, Davies, DeOrio, Foltz, Kiesling.

No: 0.

The meeting adjourned at 8:07 p.m.


PRESIDENT OF COUNCIL

ATTEST:


CLERK OF COUNCIL

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